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PTO/SB/30 (09-03)

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Request  
for  
Continued Examination (RCE)  
Transmittal

Address to:  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/435,113
Filing Date	November 5, 1999
First Named Inventor	Max P. McDaniel
Art Unit	1755
Examiner Name	James W. Pasterczyk
Attorney Docket Number	C51757 0020

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i.  Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_  
ii.  Other \_\_\_\_\_

b.  Enclosed

i. <input checked="" type="checkbox"/> Amendment/Reply	iii. <input type="checkbox"/> Information Disclosure Statement (IDS)
ii. <input type="checkbox"/> Affidavit(s)/ Declaration(s)	iv. <input checked="" type="checkbox"/> Other <u>Petition for Extension of Time Under 37 CFR 1.136(a)</u>

2. **Miscellaneous**

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a

a.  period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)  
b.  Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a.  Deposit Account No. 09-0528

i. <input checked="" type="checkbox"/> RCE fee required under 37 CFR 1.17(e)	09/07/2004 SDENB0B1 00000121 090528 09435113
ii. <input checked="" type="checkbox"/> Extension of time fee (37 CFR 1.136 and 1.17)	01 FC:1801 770.00 DA
iii. <input type="checkbox"/> Other _____	

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	David E. Wibley, Ph.D.	Registration No. (Attorney/Agent)	52,362
Signature		Date	September 3, 2004

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Jenny Vicente	Date	September 3, 2004
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
Max P. McDaniel, et al. )  
Serial No.: 09/435,113 ) Group Art Unit: 1755  
Filed: November 5, 1999 ) Examiner: Pasterczyk, James W.  
For: Polymerization Catalyst Systems and )  
Processes Using Alkyl Lithium )  
Compounds as a Cocatalyst )

**AMENDMENT AND RESPONSE IN  
REQUEST FOR CONTINUED EXAMINATION**

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Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is submitted with a Request for Continued Examination (RCE) in the above-identified application, under 37 C.F.R. § 1.114. The RCE is being filed in response to the final Office Action mailed March 4, 2004, and the Advisory Action dated May 3, 2004. The March 4, 2004, Office Action set a shortened statutory period for reply expiring June 4, 2004, which is extended three months to and including September 4, 2004.

**Amendments to the Claims** begin on page 2 of this document.

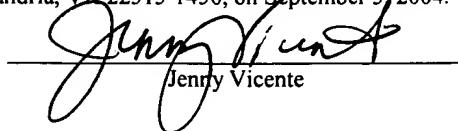
**Remarks/Arguments** begin on page 7 of this document.

**Conclusion** is on page 11 of this document.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

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Jenny Vicente